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8 **Attorney for Plaintiff**
9 Environmental Research Center, Inc.

10
11 **IN THE UNITED STATES DISTRICT COURT**
12 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
13 **OAKLAND DIVISION**

14 ENVIRONMENTAL RESEARCH CENTER,
15 INC., a non-profit California corporation,

16 Plaintiff,

17 vs.

18 SI03, INC., individually and doing business as
19 SYNTRAX, a Delaware corporation; and DOES
20 1 through 25,
21 Defendant.

Case No. 4:19-cv-00640-SBA

STATEMENT OF RECENT DECISION

Hearing Date: April 10, 2019

Time: 2:00 PM

Judge: Hon. Sandra B. Armstrong

22 To the Court and the Parties:

23 Pursuant to Local Rule 7-3(d)(2) please find the attached Order in *Environmental Research*
24 *Center v. Hotze Health Wellness Center, et al*, 9th Circuit Case No. 18-17463, issued today shortly
25 after Plaintiff filed its Reply Memorandum of Points and Authorities in Support of Motion for
26 Remand and Motion for Attorneys' Fees and Costs.

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1 Respectfully submitted,

2 Dated: March 21, 2019

AQUA TERRA AERIS LAW GROUP

3 By:

4 /s/Jason R. Flanders

Jason R. Flanders

5 *Attorneys for Plaintiff*

6 ENVIRONMENTAL RESEARCH CENTER, INC.

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ATTACHMENT

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

MAR 21 2019

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

ENVIRONMENTAL RESEARCH
CENTER, INC.,

Plaintiff-Appellee,

v.

HOTZE HEALTH WELLNESS CENTER
INTERNATIONAL ONE, LLC,
individually and allegedly doing business as
HOTZE VITAMINS; et al.,

Defendants-Appellants.

No. 18-17463

D.C. No. 3:18-cv-05538-VC
Northern District of California,
San Francisco

ORDER

Before: SILVERMAN, TALLMAN, and MURGUIA, Circuit Judges.

Appellee's motion to dismiss this appeal for lack of jurisdiction (Docket Entry No. 4) is granted. *See* 28 U.S.C. § 1447(d); *Things Remembered, Inc. v. Petrarca*, 516 U.S. 124, 127 (1995); *Kunzi v. Pan Am. World Airways, Inc.*, 833 F.2d 1291, 1293 (9th Cir. 1987).

Appellants' motion to order the district court to recall the case and stay proceedings pending appeal (Docket Entry No. 6) is denied as moot.

DISMISSED.